

Maine Revised Statutes
Title 34-A: CORRECTIONS
Chapter 1: GENERAL PROVISIONS

§1404. DUTIES AND POWERS OF THE COMMISSIONER IN SUPPORT OF STATE BOARD OF CORRECTIONS

In addition to other duties and powers set out in this Title, the commissioner has the following duties and powers to support the State Board of Corrections, referred to in this section as "the board," in its efforts to accomplish its purpose as described in section 1801. [2007, c. 653, Pt. A, §28 (NEW) .]

1. Managing facility capacity and inmate placement. If the board fails to manage inmate bed space or inmate transfers as required under section 1803, subsection 2, paragraph D or if the board requests the commissioner to take on one or more of these functions and the commissioner agrees, the commissioner is responsible for the daily management of inmate bed space throughout the coordinated correctional system and shall direct the transfer of inmates between facilities in order to fulfill this responsibility consistent with the board's determination of facility use and purpose under section 1803, subsection 2, paragraph A. The commissioner shall develop a process for information sharing between the correctional facilities and the county jails, which must include at a minimum:

A. Daily reporting to the department by county jails of:

(1) Facility population by gender; classification; legal status, including pretrial or sentenced; special needs; and any other parameters determined by the commissioner; and

(2) Facility capacity and available bed space or bed space needs by the reportable parameters under subparagraph (1); and [2007, c. 653, Pt. A, §28 (NEW) .]

B. Regular consultation with sheriffs. [2007, c. 653, Pt. A, §28 (NEW) .]

[2013, c. 598, §7 (AMD) .]

2. Coordinated correctional system plan. The commissioner may recommend a downsizing plan and a reinvestment strategy to the board.

[2011, c. 374, §6 (AMD) .]

3. Uniform policies and procedures. The commissioner may recommend uniform practices for pretrial, revocation and reentry services to the board.

[2007, c. 653, Pt. A, §28 (NEW) .]

4. Inspections and investigation. The commissioner shall inspect county facilities consistent with sections 1208 and 1208-A.

[2007, c. 653, Pt. A, §28 (NEW) .]

5. Inmates with mental illness. The commissioner shall determine the placement, housing and program development for inmates with mental illness within correctional facilities and county jails in accordance with standards adopted by the board.

[2007, c. 653, Pt. A, §28 (NEW) .]

6. Support of the board. The commissioner shall provide administrative staffing for the board and expertise as requested by the board and shall serve as the fiscal agent for the board.

[2007, c. 653, Pt. A, §28 (NEW) .]

7. Budget review. The commissioner shall provide the board with its adult correctional and adult probation services biennial and supplemental budget proposals in a timely fashion.

[2009, c. 391, §9 (NEW) .]

SECTION HISTORY

2007, c. 653, Pt. A, §28 (NEW). 2009, c. 391, §9 (AMD). 2011, c. 374, §6 (AMD). 2013, c. 598, §7 (AMD).

The State of Maine claims a copyright in its codified statutes. If you intend to republish this material, we require that you include the following disclaimer in your publication:

All copyrights and other rights to statutory text are reserved by the State of Maine. The text included in this publication reflects changes made through the Second Regular Session of the 126th Maine Legislature and is current through August 1, 2014. The text is subject to change without notice. It is a version that has not been officially certified by the Secretary of State. Refer to the Maine Revised Statutes Annotated and supplements for certified text.

The Office of the Revisor of Statutes also requests that you send us one copy of any statutory publication you may produce. Our goal is not to restrict publishing activity, but to keep track of who is publishing what, to identify any needless duplication and to preserve the State's copyright rights.

PLEASE NOTE: The Revisor's Office cannot perform research for or provide legal advice or interpretation of Maine law to the public. If you need legal assistance, please contact a qualified attorney.
--